

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05-cr-390

UNITED STATES OF AMERICA

vs.

DEMORRIS TYRESE ALLEN (10)

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ORDER

THIS MATTER is before the Court upon motion of the defendant pro se to re-calculate his criminal history category and lower his sentence. (Doc. No. 476).

The Court recently reduced the defendant's sentence based on retroactive amendments to the United States Sentencing Guidelines affecting offense levels for crack cocaine. (Doc. No. 474: Order). The defendant has not shown that any changes to the guidelines affecting criminal history points are retroactive, nor has he shown any other basis for the Court to re-calculate his criminal history category after his judgment became final.

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

Signed: June 25, 2012



Robert J. Conrad, Jr.
Chief United States District Judge

